

**DECLARATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **ASCORBIC ACID PRODUCTION FROM YEAST**, the Specification of which:

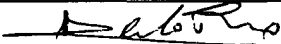
☒ is attached hereto.  
☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_

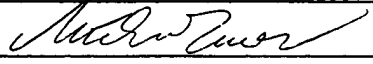
I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby direct that all correspondence and telephone calls be addressed to Raymund F. Eich, Williams, Morgan & Amerson, P.C., 7676 Hillmont, Suite 250, Houston, Texas 77040, (713) 934-7000.

I HEREBY DECLARE THAT ALL STATEMENTS MADE OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

Inventor's Full Name:	DANILO	PORRO
Inventor's Signature:		
Country of Citizenship:	Italy	Date: 26/07/2000
Residence Address: (city and state or country)	Erba (Como), Italy	
Post Office Address: (street, number, city, state, and/or country)	Department of Biotechnology and Biosciences P.zza della Scienza No. 2, 20126 Milano, Italy	

Inventor's Full Name:	MICHAEL	SAUER
Inventor's Signature:		
Country of Citizenship:	<u>Germany</u>	Date: 26/7/2000
Residence Address: (city and state or country)	Mäder, Austria	
Post Office Address: (street, number, city, state, and/or country)	Department of Biotechnology and Biosciences P.zza della Scienza No. 2, 20126 Milano, Italy	

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Danilo Porro

Michael Sauer

Group Art Unit: Unknown

Serial No.: Unknown

Examiner: Unknown

Filed: Concurrently Herewith

Atty. Dkt. No.: 2028.594000/RFE

For: ASCORBIC ACID PRODUCTION FROM  
YEAST

**ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73  
AND POWER OF ATTORNEY**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints:

Danny L. Williams, Reg. No. 31,892; Terry D. Morgan, Reg. No. 31,181; J. Mike Amerson, Reg. No. 35,426; Kenneth D. Goodman, Reg. No. 30,460; Barbara S. Kitchell, Reg. No. 33,928; Jeffrey A. Pyle, Reg. No. 34,904; Randall C. Furlong, Reg. No. 35,144; Scott F. Diring, Reg. No. 35,119; George J. Oehling, Reg. No. 40,471; Shelley P.M. Fussey, Reg. No. 39,458; Mark D. Moore, Reg. No. 42,903; Carolanne M. King, Reg. No. 44,914; Louis H. Iselin, Reg. No. 42,684; and Raymund F. Eich, Reg. No. 42,508;

each an attorney or agent of the firm of WILLIAMS, MORGAN & AMERSON, P.C., as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Biopolo S.C.a.R.L., referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Raymund F. Eich  
WILLIAMS, MORGAN & AMERSON, P.C.  
7676 Hillmont, Suite 250  
Houston, Texas 77040  
(713) 934-7000

ASSIGNEE:  
BIPOLO S.C.a.R.L.

By: BIPOLO S.C.a.R.L.  
Name: LUIGI RICCIARDI  
Title: GENERAL MANAGER BIPOLO S.C.R.L.  
Date: 27/07/2000

ASSIGNMENT:

- ☒ Concurrently filed  
☐ Previously recorded

Date: \_\_\_\_\_

Reel: \_\_\_\_\_

Frames: \_\_\_\_\_



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SEPTEMBER 28, 2000

PTAS

WILLIAMS, MORGAN & AMERSON, P.C.  
RAYMUND F. EICH  
7676 HILLMONT, SUITE 250  
HOUSTON, TEXAS 77040



DOCOMENT DEPT. \*101433125A\*

001 - 2 2000

WILLIAMS, MORGAN & AMERSON  
UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/02/2000

REEL/FRAME: 010987/0321  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
PORRO, DANILO

DOC DATE: 07/26/2000

ASSIGNOR:  
SAUER, MICHAEL

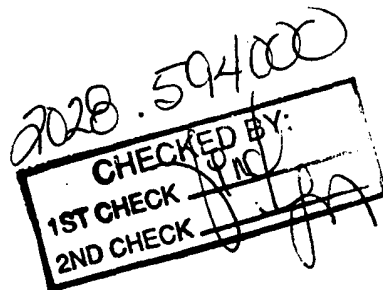
DOC DATE: 07/26/2000

ASSIGNEE:  
BIOPOLO S.C.A.R.L.  
GASPARE GOZZI 8  
MILANO, ITALY

SERIAL NUMBER: 09630983  
PATENT NUMBER:

FILING DATE: 08/02/2000  
ISSUE DATE:

MARY BENTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



08-15-2000



101433125

FORM PTO-1595  
(Rev. 6-93)

U.S. Department of Commerce

OMB No. 0651-0011 (exp. 4/94)

## PATENTS ONLY

Pat nt and Trad mark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original document or copy thereof.

## 1. Name of conveying parties:

**DANILO PORRO  
MICHAEL SAUER**Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 2. Name and address of receiving party:

Name: **BIOPOLLO S.C.a.R.L.**

Internal Address:

Street Address: **Gaspere Gozzi 8**City: **Milano** Country: **Italy** Zip:Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:



Assignment



Merger



Security Agreement



Change of Name



Other

Execution Date: **July 26, 2000**

## 4. Application number(s) or registration number(s):

If this document is being filed together with a new application, the execution date of the application is: **July 26, 2000**

A. Patent Application No.(s):

**09630983**

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Raymund F. Eich  
Williams, Morgan & Amerson, P.C.  
7676 Hillmont, Suite 250**City: **Houston** State: **Texas** Zip: **77040**6. Total number of applications and patents involved: **1**7. Total fee (37 C.F.R. 3.41) \$ **40.00**☒ Enclosed☒ Authorized to be charged to deposit account

if check insufficient or inadvertently omitted

8. Deposit account number: **50-0786/2028.594000RFE**  
(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.***Raymund F. Eich***Raymund F. Eich***8/2/00**Name of Person Signing, Reg. No. **42,508**

Signature

Date

Total number of pages including cover sheet, attachments and documents: **4**

## EXPRESS MAIL MAILING LABEL

NUMBER: **EL522494125US**  
DATE OF DEPOSIT: **AUGUST 2, 2000**

I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington D.C. 20231.

*Raymund F. Eich*  
Signature

08/11/2000 DBUTLER 00000026 09630983

04 FC:581

40.00

JCE39 U.S. PTO  
09/630983  
08/02/00

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, do hereby:

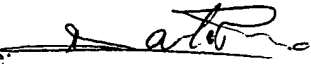
SELL, ASSIGN AND TRANSFER to Biopolo S.C.a.R.L., a Corporation of Italy (the "Assignee"), having a place of business at via Gaspare Gozzi, 8, Milano, Italy, the entire right, title and interest for the United States and all foreign countries in and to any and all improvements which are disclosed in the application for United States Letters Patent, which has been executed by the undersigned concurrently herewith and is entitled "**ASCORBIC ACID PRODUCTION FROM YEAST**" such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

Signature:   
Name: Danilo Porro

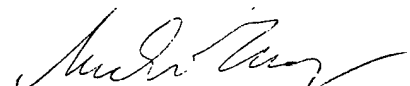
Date: 26/07/2000

STATE OF ILLINOIS                    )  
  ) ss.  
COUNTY OF MACON                 )

BEFORE ME, the undersigned authority, on this 26 day of July, 2000, personally appeared Danilo Porro, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

  
Notary or Consular Officer

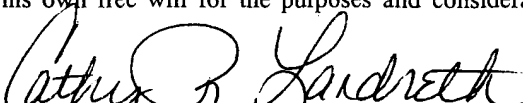


Signature:   
Name: Michael Sauer

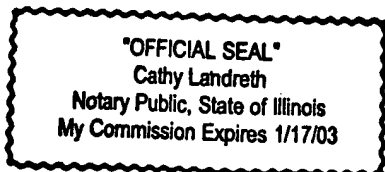
Date: 26/07/2000

STATE OF ILLINOIS                    )  
  ) ss.  
COUNTY OF MACON                 )

BEFORE ME, the undersigned authority, on this 26 day of July, 2000, personally appeared Michael Sauer, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

  
Notary or Consular Officer

[SEAL]





**PATENTS ONLY**

Patent and Trademark Office

U.S. PTO  
09/630983  
08/02/00

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original document or copy thereof.

1. Name of conveying parties:

**DANILO PORRO  
MICHAEL SAUER**

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Execution Date: **July 26, 2000**

2. Name and address of receiving party:

Name: **BIPOLO S.C.a.R.L.**

Internal Address:

Street Address: **Gaspere Gozzi 8**

City: **Milano** Country: **Italy** Zip:

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration number(s):

If this document is being filed together with a new application, the execution date of the application is: **July 26, 2000**

A. Patent Application No.(s):

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **Raymund F. Eich  
Williams, Morgan & Amerson, P.C.  
7676 Hillmont, Suite 250**

City: **Houston** State: **Texas** Zip: **77040**

6. Total number of applications and patents involved: **1**

7. Total fee (37 C.F.R. 3.41) \$ **40.00**

- ☒ Enclosed  
☒ Authorized to be charged to deposit account  
if check insufficient or inadvertently omitted

8. Deposit account number: **50-0786/2028.594000RFE**  
(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

**Raymund F. Eich**

*Raymund F. Eich*

**8/2/00**

Name of Person Signing, Reg. No. **42,508**

Signature

Date

Total number of pages including cover sheet, attachments and documents: **4**

**EXPRESS MAIL MAILING LABEL**

NUMBER: **EL522494125US**  
DATE OF DEPOSIT: **AUGUST 2, 2000**

I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington D.C. 20231.

*Raymund F. Eich*  
Signature

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF:

DANILO PORRO  
MICHAEL SAUER

SERIAL NO.: 09/630,983

FILED: AUGUST 2, 2000

FOR: ASCORBIC ACID PRODUCTION FROM  
YEAST

GROUP ART UNIT: 1636

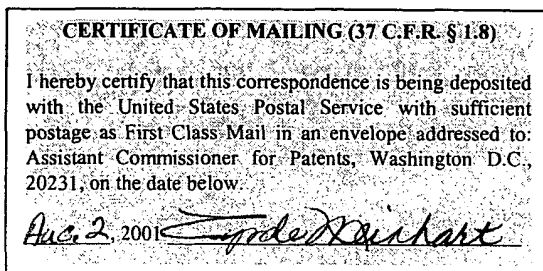
EXAMINER: L. GANSHEROFF

ATTORNEY DOCKET: 2028.594000/RFE  
2005940

**DECLARATION OF BIOLOGICAL CULTURE DEPOSIT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:



I, Danilo Porro, one of the named co-inventors of the application referenced above, hereby declare that:

1. I have deposited on July, 31, 2000 with the NRRL the following materials referred to in the specification of the above-referenced application.

**TAXONOMIC DESCRIPTION**

**DEPOSIT NUMBER**

S. cerevisiae GRF18U

NRRL Y-30320

2. The date of the above deposit is on or before the US filing date of this application.
3. The name and address of the depository is:

Agricultural Research Service Culture Collection (NRRL)

Microbial Genomics and Bioprocessing Research Unit

National Center for Agricultural Utilization Research

1815 North University Street

Peoria, Illinois 61604

USA

4. With respect to the permanence of the culture deposit:
  - a. the depository is an official depository in accordance with the Budapest Treaty for the above deposited cultures;
  - b. the depository affords permanence of the deposit for at least 30 years or at least 5 years after the most recent storage request, whichever is longest; and
  - c. evidence that permanent availability of the microorganism is assured is provided in the form of the attached copy of the contract with the above-mentioned depository with respect to the deposited cultures.

I affirm that should the microorganisms mutate, become nonviable or be inadvertently destroyed, I will replace such microorganisms for at least 30 years from the date of the original deposit, or at least 5 years from the date of the most recent request for release of a sample or for the life of any patent issued on the above-mentioned application, plus six (6) years to cover the statute of limitations, whichever period is longer.

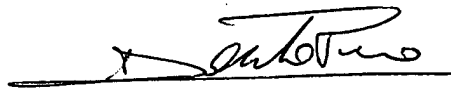
5. With respect to availability of the cultures, I affirm that the deposit has been made under conditions of assurance set forth below and that I bind myself to such conditions:

- a. ready accessibility thereto by the public if a patent is granted whereby all restrictions to the availability to the public of the culture so deposited will

be irrevocably removed upon the granting of the patent (MPEP 608.01 (p)); and

- b. access to the culture will be available during pendency of the patent application to one determined by the Commissioner to be entitled thereto under 37 C.F.R. § 1.14 and 35 U.S.C. § 122. Evidence of the accessibility of the cultures as set forth above is provided in the form of the attached copy of the contract with the above-mentioned depository with respect to the deposited cultures.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. -



Danilo Porro, Inventor

Date: 24<sup>th</sup> July 2001

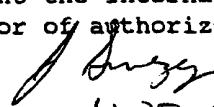
BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSE OF PATENT PROCEDURES

INTERNATIONAL FORM

TO  
A. E. Staley Manufacturing Co.  
2200 E. Eldorado Street  
Decatur, IL 62525

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT  
issued pursuant to Rule 7.1 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this page

NAME AND ADDRESS  
OF DEPOSITOR

<b>I. IDENTIFICATION OF THE MICROORGANISM</b>	
Identification reference given by the DEPOSITOR:  <i>Saccharomyces cerevisiae</i> ST-1 (GRF18U)	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY:  NRRL Y-30320
<b>II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION</b>	
The microorganism identified under I. above was accompanied by:  <input type="checkbox"/> a scientific description  <input checked="" type="checkbox"/> a proposed taxonomic designation  (Mark with a cross where applicable)	
<b>III. RECEIPT AND ACCEPTANCE</b>	
This International Depositary Authority accepts the microorganism identified under I. above, which was received by it on July 31, 2000 (date of the original deposit) <sup>1</sup>	
<b>IV. RECEIPT OF REQUEST FOR CONVERSION</b>	
The microorganism identified under I. above was received by this International Depositary Authority on _____ (date of the original deposit) and a request to convert the original deposit to a deposit under the Budapest Treaty was received by it on _____ (date of receipt of request for conversion).	
<b>V. INTERNATIONAL DEPOSITARY AUTHORITY</b>	
Name: Agricultural Research Culture Collection (NRRL) International Depositary Authority  Address: 1815 N. University Street Peoria, Illinois 61604 U.S.A.	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):   Date: 10-25-00

<sup>1</sup> Where Rule 6.4(d) applies, such date is the date on which the status of international depositary authority was acquired.